

Combined Declaration for Patent Application and Power of Attorney

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS FOR ISOLATING AND USING FUNGAL HEMOLYSINS

the specification of which (check one)

- [X] is attached hereto;
 [] was filed in the United States under 35 U.S.C. §111 on _____, as
 U.S. Appl. No. _____*; or
 [] was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an international (PCT) application. ____; filed _____, entry requested on _____*; national stage application received U.S. Appl. No. _____*; §371/§102(e) date _____* (* if known)

and was amended on _____

(if applicable).

(include dates of amendments under PCT Art. 19 and 34 if PCT)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119 (a)-(d) and 365 (b) of any prior foreign application(s) for patent or inventor's certificate, or §365(a) of any prior PCT application(s) designating a country other than the U.S., listed below with the "Yes" box checked, and have also identified below, by checking the "No" box, any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed:

| | | | | |
|-------------------|--------------------|---------------------------------|-----|----|
| _____ (Number) | _____ (Country) | _____ (Day Month Year Filed) | YES | NO |
| _____ (Number) | _____ (Country) | _____ (Day Month Year Filed) | YES | NO |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional applications listed below:

| | |
|----------------------------|---------------------------------|
| _____ (Application No.) | _____ (Day Month Year Filed) |
| _____ (Application No.) | _____ (Day Month Year Filed) |

I hereby claim the benefit under 35 U.S.C. §120 of any prior U.S. non-provisional application(s) or under §365(c) of any prior PCT international application(s) designating the U.S., listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|----------------------------|---------------------------------|---|
| _____ (Application No.) | _____ (Day Month Year Filed) | _____ (Status: patented, pending, abandoned) |
| _____ (Application No.) | _____ (Day Month Year Filed) | _____ (Status: patented, pending, abandoned) |

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444, and
 Ehrlich, Reg. No. 37,999, and Laura Scalise, Reg. No. 45,778

Alan M.

Direct all correspondence to the address associated with Customer Number 001444, which is presently:

BROWDY AND NEIMARK, P.L.L.C.
 624 Ninth Street, N.W.
 Washington, D.C. 20001-5303
 (202) 628-5197

The undersigned hereby authorizes the U.S. Attorneys or Agents appointed herein to accept and follow instructions from
U.S. EPA as to any action to be taken in the U.S. Patent and Trademark Office regarding this application
without direct communication between the U.S. Attorneys or Agents and the undersigned. In the event of a change of the persons from
whom instructions may be taken, the U.S. Attorneys or Agents appointed herein will be so notified by the undersigned.

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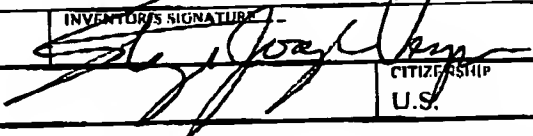
U.S. Application filed

Serial No.

PCT Application filed

Serial No.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | | |
|---|--|--|--|---------|--|
| FULL NAME OF FIRST INVENTOR | | INVENTOR'S SIGNATURE | | DATE | |
| Stephen Joseph VESPER | |  | | 5-30-01 | |
| RESIDENCE | | CITIZENSHIP | | | |
| Kettering, Ohio | | U.S. | | | |
| POST OFFICE ADDRESS | | | | | |
| USEPA National Exposure Research Laboratory, 26 West Martin Luther King Drive, Cincinnati, OH 54268 | | | | | |
| FULL NAME OF SECOND JOINT INVENTOR | | INVENTOR'S SIGNATURE | | DATE | |
| | | | | | |
| RESIDENCE | | CITIZENSHIP | | | |
| | | | | | |
| POST OFFICE ADDRESS | | | | | |
| FULL NAME OF THIRD JOINT INVENTOR | | INVENTOR'S SIGNATURE | | DATE | |
| | | | | | |
| RESIDENCE | | CITIZENSHIP | | | |
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| POST OFFICE ADDRESS | | | | | |
| FULL NAME OF FOURTH JOINT INVENTOR | | INVENTOR'S SIGNATURE | | DATE | |
| | | | | | |
| RESIDENCE | | CITIZENSHIP | | | |
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| POST OFFICE ADDRESS | | | | | |
| FULL NAME OF FIFTH JOINT INVENTOR | | INVENTOR'S SIGNATURE | | DATE | |
| | | | | | |
| RESIDENCE | | CITIZENSHIP | | | |
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| POST OFFICE ADDRESS | | | | | |
| FULL NAME OF SIXTH JOINT INVENTOR | | INVENTOR'S SIGNATURE | | DATE | |
| | | | | | |
| RESIDENCE | | CITIZENSHIP | | | |
| | | | | | |
| POST OFFICE ADDRESS | | | | | |
| FULL NAME OF SEVENTH JOINT INVENTOR | | INVENTOR'S SIGNATURE | | DATE | |
| | | | | | |
| RESIDENCE | | CITIZENSHIP | | | |
| | | | | | |
| POST OFFICE ADDRESS | | | | | |

ALL INVENTIONS MUST REVIEW APPLICATION AND DECLARATION BEFORE SIGNING. ALL ALTERATIONS MUST BE INITIALED AND DATED BY ALL INVENTORS PRIOR TO THE PAGES BEING FORWARDED TO THE PATENT OFFICE. BE MADE AFTER THE DECLARATION IS SIGNED. ALL PAGES OF DECLARATION MUST BE SEEN BY ALL INVENTORS.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: VESPER1

| | | |
|------------------------------|---|------------------|
| In re Application of: |) | Art Unit: |
| |) | |
| Stephen J. VESPER |) | Examiner: |
| |) | |
| Serial No.: not yet received |) | Confirmation No. |
| |) | |
| Filed: even date herewith |) | Washington D.C. |
| |) | |
| For: METHODS FOR ISOLATING |) | May 30, 2001 |
| AND USING FUNGAL |) | |
| HEMOLYSINS |) | |

VERIFIED STATEMENT UNDER 37 CFR 1.102

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, attorney of record in the above identified application, hereby states that the invention which is the subject of this application materially contributes to diagnosis and treatment of environmental problems resulting from fungal infections or infestations.

The invention provides proteins which can be used in immunoassays to determine if a building or other space contains hemolysin-producing fungi, which can cause a variety of ailments. If the building or other space is found to contain such fungi, remedial measures can be taken.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true: and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and

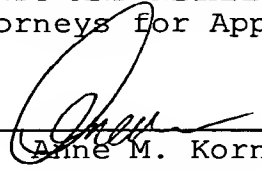
In re New Appl. in the name of VESPER1

that such willful false statements may jeopardize the validity
of the application or any patent issued thereon.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By


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AMK:nmp

F:\,B\Bpa\vesper1\pto\verified statement under 1.102.wpd

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